



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
CITY VIEW PLAZA II BUILDING, 7TH FLOOR
ROUTE 165 GUAYNABO, PUERTO RICO 00968

September 30, 2020

VIA ELECTRONIC MAIL

Mr. Oscar Javier Santamaria Torres
President
Waste Collection, Corp.
81 Ave. Muñoz Rivera
San Juan, Puerto Rico 00918

**Re: Administrative Compliance Order
Solid Waste Transfer Station
Docket Number CWA-02-2020-3104
NPDES ID: PRU098543**

Dear Mr. Santamaria Torres:

The United States Environmental Protection Agency ("EPA"), Region 2, has made findings that Waste Collection, Corp. ("Respondent") is in violation of Sections 301(a) and 402(p) of the Clean Water Act (the "Act"), 33 U.S.C. §§ 1311(a) and 1342(p). Enclosed please find an electronic copy of the Administrative Compliance Order ("ORDER"), Docket Number CWA-02-2020-3104, issued pursuant to Section 309(a) of the Act, 33 U.S.C. § 1319(a), which details these findings of violation.

Please return the Attachment of the Order via electronic mail to acknowledge receipt of this Order. Also, as soon as viable under the current COVID-19 emergency and considering the executive orders issued by the Governor of Puerto Rico, please send by certified mail (or its equivalent) the signed acknowledgement of receipt of this Order. The acknowledgement of receipt and any other documents to be submitted to EPA as part of this Order shall be sent to the following designated EPA official:

José A. Rivera, BSCE
Team Leader
Clean Water Act Team
Multimedia Permits and Compliance Branch
Caribbean Environmental Protection Division
U.S. Environmental Protection Agency, Region 2
City View Plaza II, Suite 7000
48 RD. 165 Km. 1.2
Guaynabo, Puerto Rico 00968-8069
Telephone Number: (787) 977-5942
Email: rivera.jose@epa.gov.

The EPA acknowledges that the COVID-19 pandemic may be impacting Respondent's operations. If that is the case, EPA will consider, at its sole discretion, Respondent's specific circumstances that could affect timely responses to Section IV (Ordered Provisions) and Section V (Requested Information) of the Order, while ensuring that the Agency receives the relevant information it needs to effectively evaluate the actions that Respondent has taken or will take to comply with Sections 301(a) and 402(p) of the CWA.

Failure to comply with the enclosed Order may subject Respondent to civil and/or criminal penalties pursuant to Section 309 of the Act. Failure to comply with this Order may also subject Respondent to ineligibility for participation in work associated with Federal contracts, grants, or loans.

After Respondent has complied with Section IV (Ordered Provisions) and Section V (Requested Information) of the Order, or it had obtained coverage under an NPDES permit for its storm water discharges associated with industrial activity from the Solid Waste Transfer Station into a water of the United States, whichever occurs first, Respondent may serve upon the Clean Water Act Team Leader a request for termination of the Order. The request for termination shall state the actions Respondent has taken at the Solid Waste Transfer Station to comply with the Order and must include a Final Compliance Report including all necessary supporting documentation to demonstrate compliance with the Order. The request for termination must be signed and certified in accordance with Paragraph 52 of the Order. The determination to terminate the Order shall be solely in the discretion of EPA.

If you have any questions regarding this matter, please contact Mr. Jaime López, Enforcement Officer, Clean Water Act Team, at (787) 977-5851, or by email at lopez.jaime@epa.gov.

Sincerely,

Carmen R. Guerrero Pérez
Director
Caribbean Environmental Protection Division

Enclosure

cc: Angel Meléndez, DNER/WQA (via email with attachment)